



RETHINKING RESPONSES TO FELONY ASSAULT AND ROBBERY CHARGES IN ALAMEDA COUNTY

Angela Irvine, Ph.D.

May 25, 2023

1

PURPOSE

Ceres Policy Research was asked to partner with Alameda County Probation to explore racial and ethnic disparities in felony assault and robbery charges.

2

METHOD

We used a protocol developed in another mid-sized California county to look at:

- disparities in arrest, filed, and sustained charges,
- serious harm and injury, and
- trauma history.

3

RESEARCH QUESTIONS

#1: Are there racial and ethnic disparities in arrest, filed, and sustained robbery and assault charges?

#2: Did the event surrounding the arrest lead to a serious injury and therefore justify a violent charge?

#3: Were there histories of trauma that lie underneath these violent charges?

4

OUR SAMPLE

288 youth in the total sample. Of these:

- Youth varied from 13 to 21 years old with the majority 17 or 18.
- 20.5% of youth were identified by the database as female, 76.5% as male
- Top three cities were Oakland (n=102), Hayward (n=19), and San Leandro (n=20)

5

RACE/ETHNICITY

- 5.7% of youth were identified as Asian/PI, 56.6% as Black, 24.6% as Latino/a/e/x, 6.7% as White, and 3.0% as Other

6

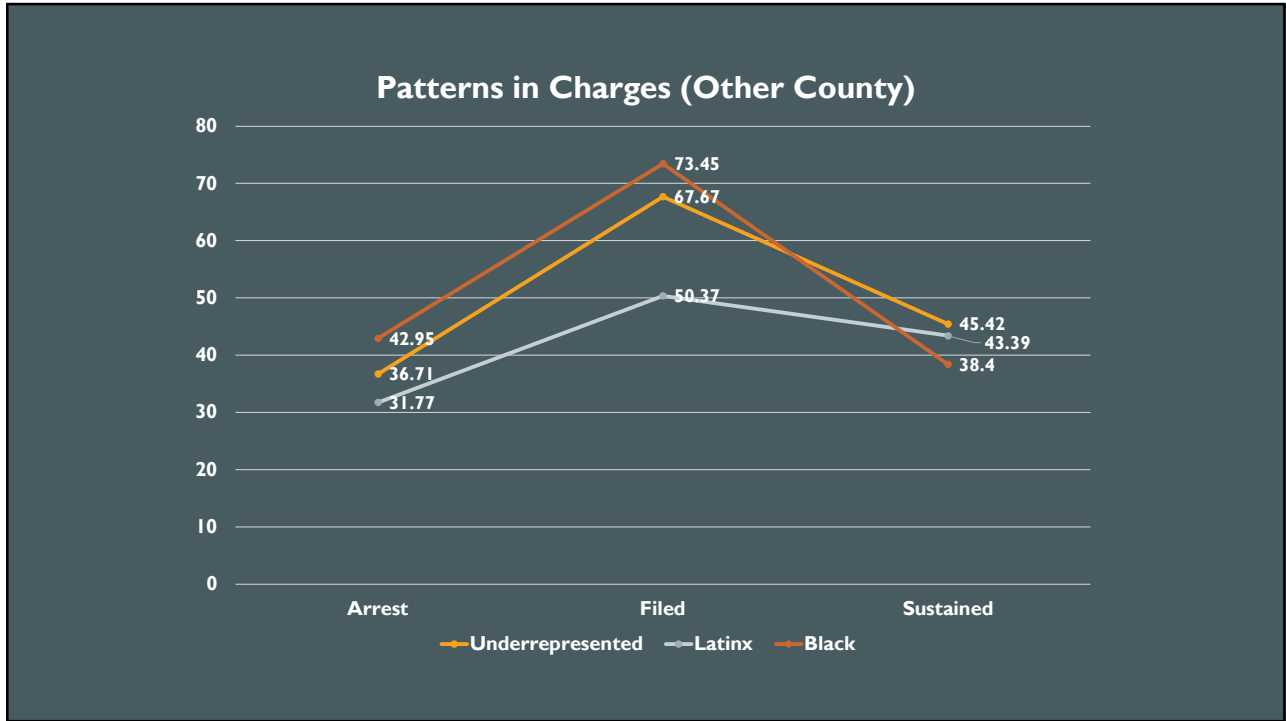
RESEARCH QUESTION #1:
ARE THERE DISPARITIES IN ARREST, FILED,
AND SUSTAINED CHARGES?

7

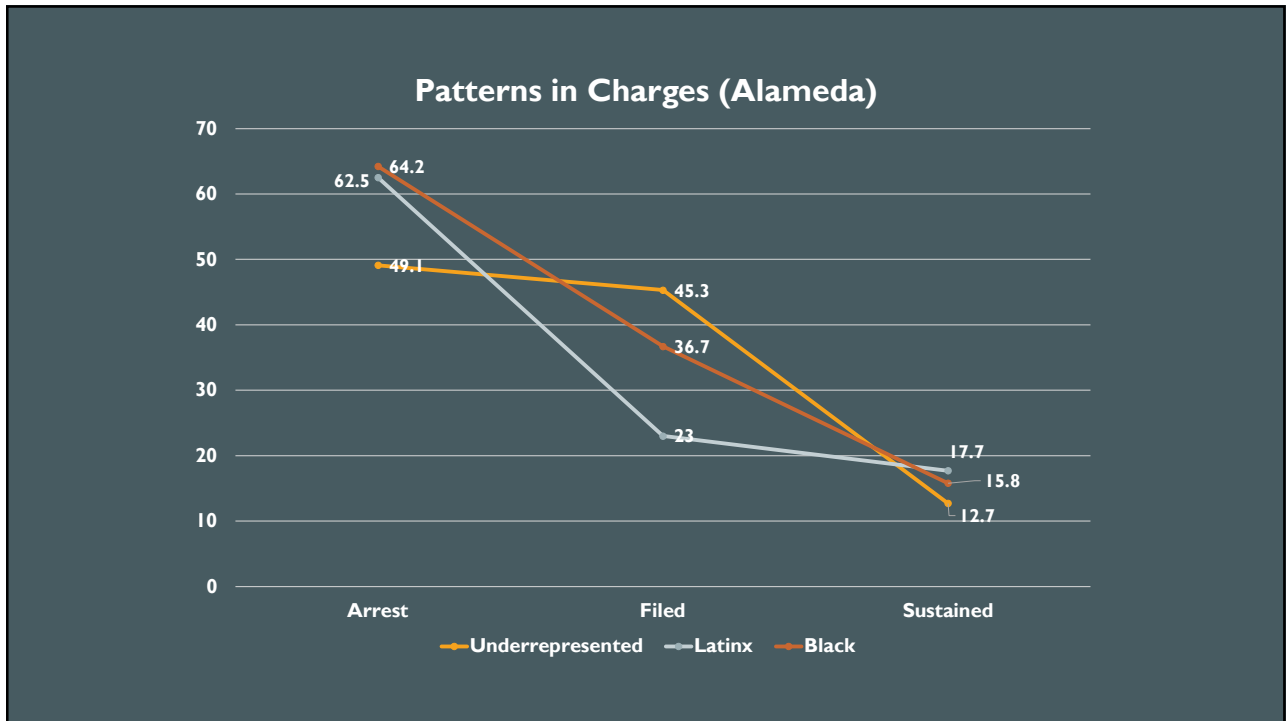
METHODOLOGY

- Ceres assigned every penal code a numeric value. This is a scale that was developed in Santa Clara.
- Ceres added up the total of penal code values in the arrest, filed, and sustained charge to calculate an arrest, filed, and sustained score.
- Ceres calculated the average charge value at arrest, filing, and disposition for youth from underrepresented race/ethnic groups (white and Asian), Latino/a youth, and Black youth.

8



9



10

ARREST CHARGES

- The values assigned to arrest charges are enormous.
- 84 youth had an arrest charge value over 50.
- 14 youth had an arrest charge value over 150. The five highest values were 228, 240, 288, 318, and 339 (the highest value each single charge could be is 16 so this last youth had at least 21 charges.)

11

DROPPED CHARGES

- Charges are not being filed. Of 288 arrests, only 171 youth had charges filed by the District Attorney and 99 youth had charges sustained by the courts.

12

IMPACT ON YOUTH

- Involvement in the justice system increases the chance of dropping out of high school, poor health, sexual abuse, and suicidality.
- If 2/3 of the youth being arrested are being dropped by the DA or the courts, many youth are at risk of negative outcomes due to initial police overcharging.

13

RESEARCH QUESTION #2:
DO CHARGES REFLECT SERIOUSNESS OF
WHAT HAPPENED?

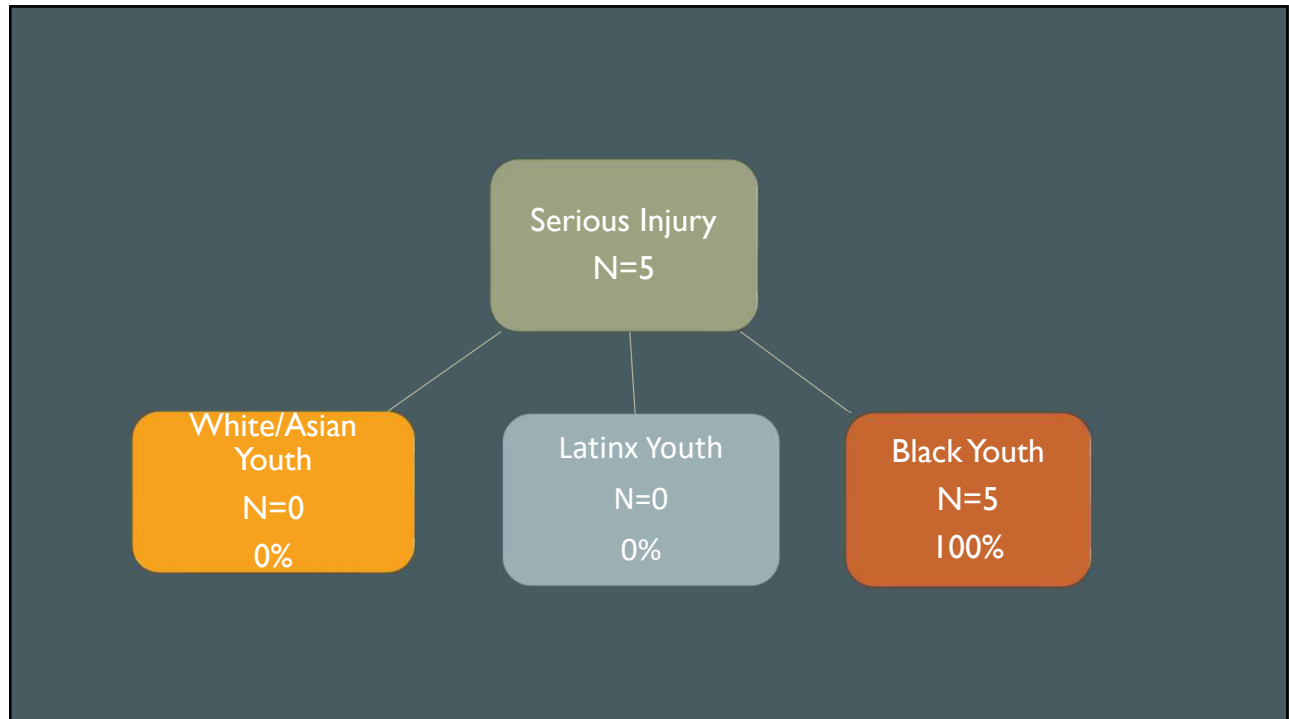
14

METHODOLOGY

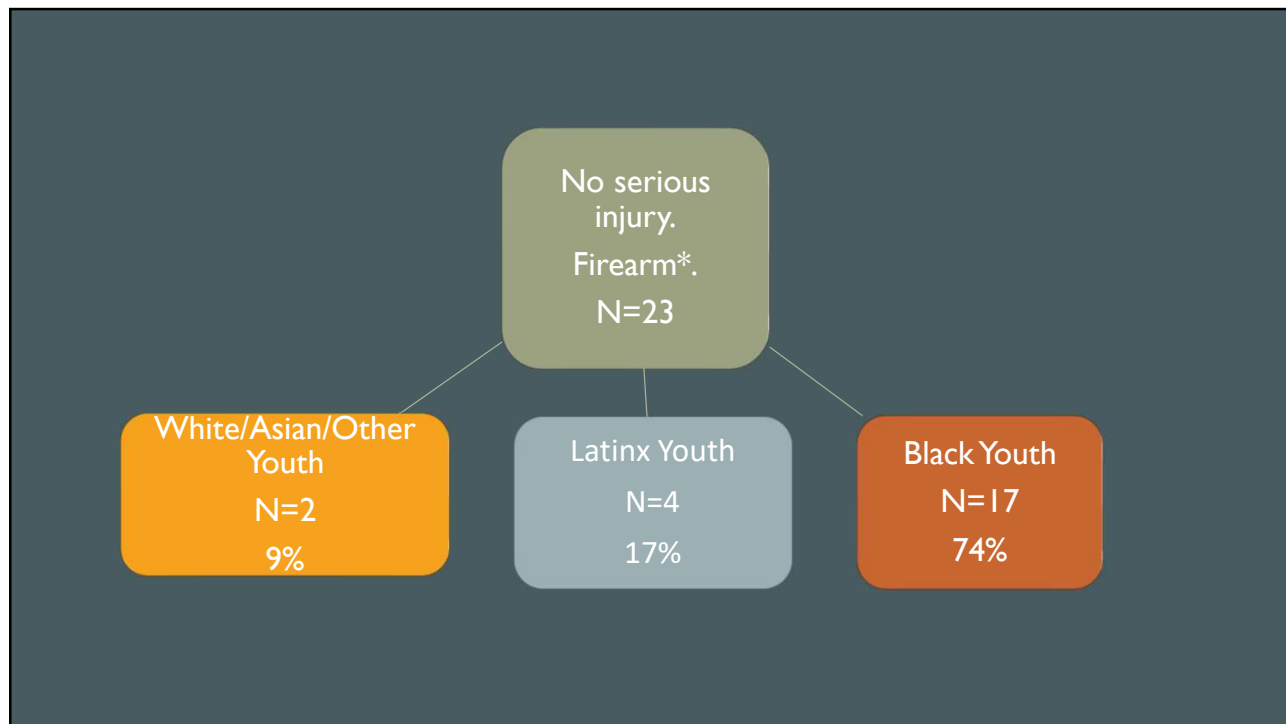
- The team reviewed whether there was a serious injury associated with the charge*, whether a firearm was involved, whether there was grand theft tied to the incident, or whether none of these conditions were in place.
- We then calculated the number and percentage of underrepresented, Latinx, and Black youth fell within each category.
- We had this data for 65 youth. A larger sample might shift the proportions.

*Serious injuries include being stabbed, being shot, having a concussion, requiring a hospitalization, needing stitches, being strangled, being pistol whipped, or being attacked by multiple assailants. They do not include cuts and bruises.

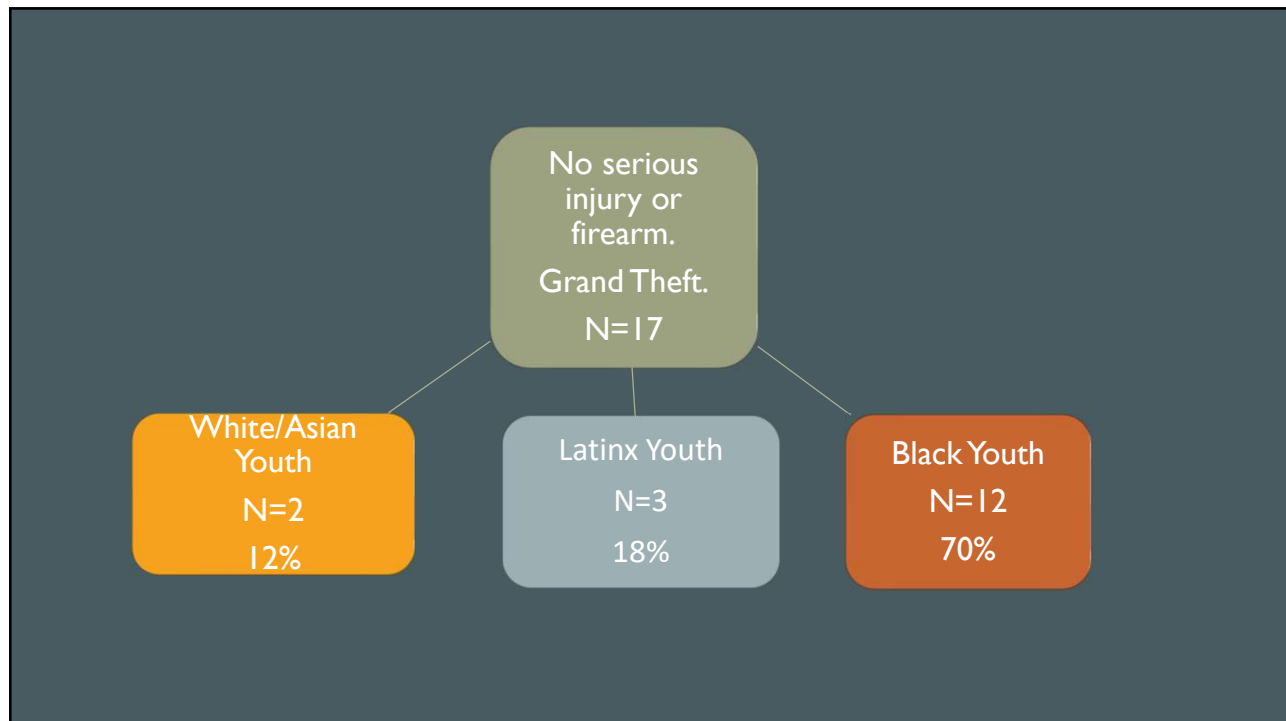
15



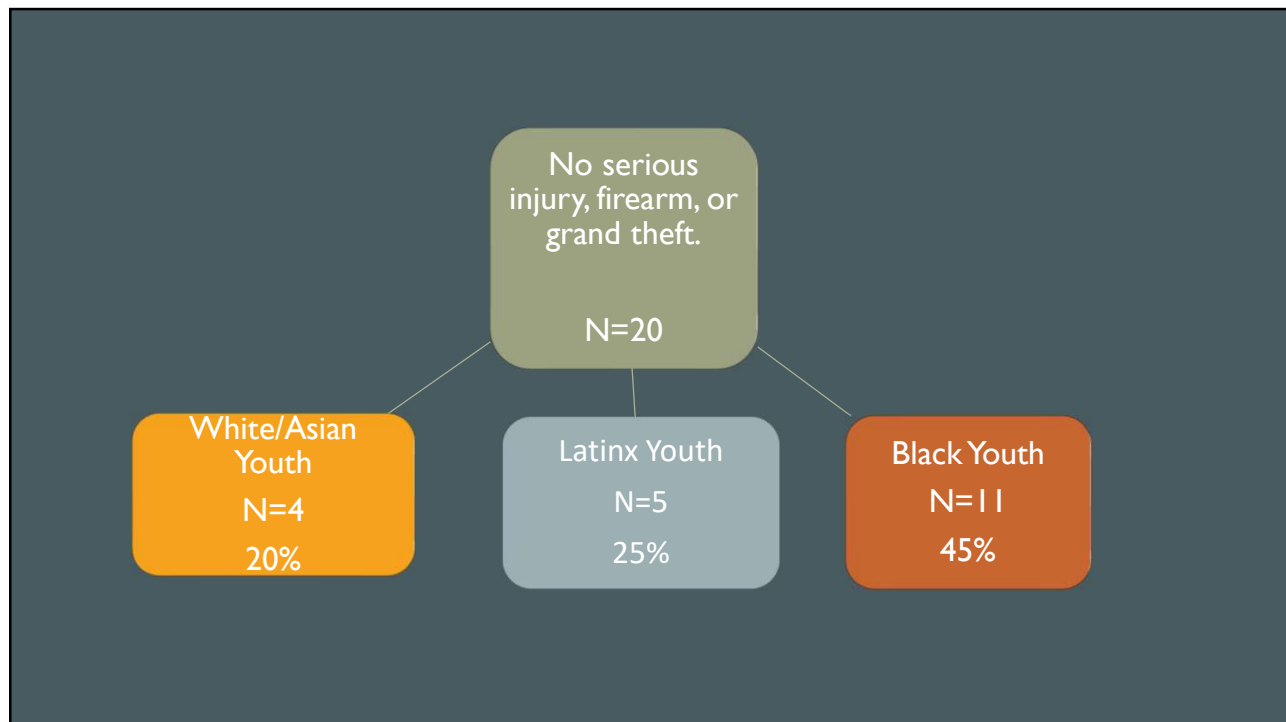
16



17



18



19

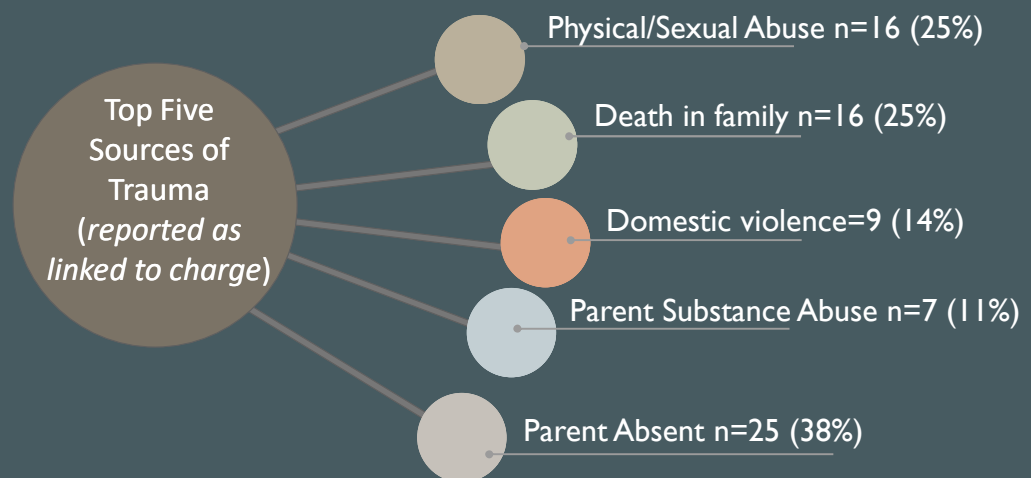
**QUESTION #3:
WHAT SOURCES OF TRAUMA HAVE BEEN EXPERIENCED BY YOUTH IN THE SYSTEM?**

20

METHODOLOGY

- We calculated the most common sources of trauma for fifty youth.

21



22

TRAUMA FINDINGS

- The five most common sources of trauma in our population are physical/sexual abuse, death of a family member, parent incarceration, parent substance abuse, and parent absence.
- The department should review available direct services to see if there are supports in the continuum of care.
- The department might consider training organizations serving youth in these areas of harm/trauma in ways that affirm race/ethnic identity, sexual orientation, gender identity, gender expression, language, and immigration status.

23

DISCUSSION

- The next slide is a table that compares the Alameda findings with the other county where we completed this research protocol

24

COMPARING ANALYSIS OF HARM

	Alameda	Other County
Serious Injury	8%	13%
Gun Possession WITHOUT Injury	35%	17%
Grand Theft WITHOUT Gun or Injury	26%	27%
All Other Youth	31%	43%

25

RECOMMENDATIONS

- Assess incidents at the point of arrest for evidence of serious injury. One example might be including evidence of serious injury as a requirement for any detention.
- Divert youth who have no evidence of serious injury to community-based programs that specialize in serving system-impacted youth of color, particularly Black youth.
- Divert youth with gun possessions without evidence of injury to specialized programs aimed at developing leadership and community organizing skills. These skills could be used to fight neighborhood violence and the conditions that lead youth to carrying weapons in the first place.

26

RECOMMENDATIONS

- Systematically assess youth for experience with trauma. Such an assessment should exceed the ACEs quiz and include questions about racial discrimination and neighborhood violence.
- Use the trauma data collected over time to shape ongoing assessment, diversion, and intervention programs for youth in the justice system.